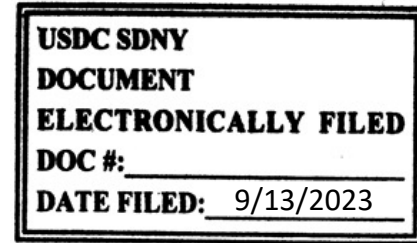


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
RICHARD J. CAPAK,

Plaintiff,

**18-cv-4325 (KHP)**

-against-

**ORDER**

RORY DORALL SMITH,

Defendant.

-----X  
**KATHARINE H. PARKER, United States Magistrate Judge:**

On September 12, 2023, the parties were scheduled to begin trial in front of the undersigned. Instead, the parties informed the Court on the record that they settled their claims and reached an agreement on all material terms. Later that day, the parties signed a binding term sheet memorializing the material terms of the agreement. In light of the parties' settlement, the bench trial was adjourned.

In accordance with the parties' request, this Court will retain jurisdiction over this matter for the purpose of enforcing the settlement agreement, if necessary. As a result of the settlement, this action is hereby discontinued with prejudice against Plaintiff for further claims and without costs.

**The Clerk of the Court is respectfully requested to close this case.**

**SO ORDERED.**

DATED: September 13, 2023  
New York, New York

A handwritten signature in blue ink that reads "Katharine H. Parker".

KATHARINE H. PARKER  
United States Magistrate Judge